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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Fabio GIANNETTI
Title:	A METHOD AND APPARATUS FOR DATA TRANSMISSION TO REMOTE DEVICES (as amended)
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Examiner:	Hieu T. Hoang
Art Unit:	2452
Confirmation No.:	4003

BRIEF ON APPEAL

Mail Stop Appeal Brief - Patents
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Sir:

Under the provisions of 37 C.F.R. § 41.37, this Appeal Brief is being filed together with a deposit account 08-2025 authorization in the amount of $540.00 covering the 37 C.F.R. 41.20(b)(2) appeal fee. If this fee is deemed to be insufficient, authorization is hereby given to charge any deficiency (or credit any balance) to the undersigned deposit account 08-2025.

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1. REAL PARTY IN INTEREST

The real party in interest is the assignee of record, Hewlett-Packard Development Company, LP, Houston, Tx.

2. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

3. STATUS OF CLAIMS

Claims 1, 2, 7-17, 19 and 24-27 are pending in the application. Claims 3-6, 18 and 20-23 are cancelled. Claims 1, 2, 7-17, 19 and 24-27 are rejected and are the subject of this appeal.

4. STATUS OF AMENDMENTS

The present application is under a final rejection (<u>See</u> Final Rejection mailed August 12, 2009). Appeal of claims 1, 2, 7-17, 19 and 24-27 is appropriate because all of the claims have been twice rejected. <u>See</u> 35 U.S.C. § 134(a). There are no amendments after final rejection.

5. SUMMARY OF CLAIMED SUBJECT MATTER

The invention of claim 1 is directed to a method of generating data suitable for transmission to at least one of a predetermined combination of at least a first and a second data-receiving device **(page 2, lines 1-3 of the specification, see data-receiving devices 23-28 in FIG. 3, see first device 900 and second device 902 in FIG. 10)**, the method comprising: providing data, at least one rule, and identifiers **(page 2, lines 4-6 and page 7, line 29 to page 8, line 1 of the specification)**, wherein the identifiers are associated with portions of the data and are arranged to identity those portions of the data **(page 7, lines 15-17 of the specification)**, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data **(page 3, lines 13-14 of the specification)**, wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated **(page 3, lines 6-7 and page 22, line 27 to page 23, line 2 of the specification)**, and the at least one rule specifies for the predetermined combination of first and second data-receiving devices to which device a portion of the data having a predetermined identifier should be sent **(page 2, lines 7-10 and page 3, lines 21-23 of the specification)**, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data **(page 3, lines 7-11 and page 22, lines 5-9 of the specification)**; and the method further comprising: classifying the at least first and second data-receiving devices into a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices **(page 20, lines 16-22 of the specification, see classifier 906 in FIG. 10)**; connecting to the first and second data-receiving devices, wherein the connection is treated as a single session **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**; giving the first and

second data-receiving devices a single session ID **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**; receiving a request for the data from at least one of the data-receiving devices **(page 21, lines 9-10 of the specification)**; obtaining the predetermined classification that identifies the data output capability of the at least one data-receiving device requesting the data **(page 21, lines 14-18 of the specification)**; and selecting portions of the data for transmission to at least one of the data-receiving devices depending upon the at least one rule and the predetermined classification that identifies the data output capability of the at least one data-receiving devices requesting the data **(page 21, line 26 to page 22, line 9 of the specification)**, wherein the portions of the data selected for transmission are selected according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data **(page 23, lines 5-9 of the specification)**.

The invention of claim 10 is directed to a computing device **(page 4, lines 16-17 of the specification, server 100 in FIG. 1)** arranged to hold data intended for transmission to at least one of a predetermined combination of at least a first and a second data-receiving devices **(page 2, lines 1-3 of the specification, see data-receiving devices 23-28 in FIG. 3, see first device 900 and second device 902 in FIG. 10)**, the computing device comprising: a processor **(processing unit 112 in FIG. 1)** arranged to process data; a transmitter **(IP port 23 in FIG. 1)** arranged to receive data from the processor and to transmit data from the device; a receiver **(IP port 23 in FIG. 1)** arranged to receive data to the device and to pass the data to the processor; and storage **(hard drive 114, memory 118 in FIG. 1)** arranged to store data together with a set of rules determining how data should be processed and a set of predetermined classifications that identify the data output capability of the at least first and

second data-receiving devices and to allow the processor to access the data **(page 4, lines 21-25 of the specification)**, the set of predetermined classifications that identifies the data output capability of the at least first and second data-receiving devices and the rules stored in the storage **(page 20, lines 16-22 of the specification, see classifier 906 in FIG. 10)**, wherein the receiver is arranged to receive a request for data and pass the request to the processor **(page 21, lines 9-10 of the specification)**, the processor being arranged to access data stored in the storage, determine to which of the at least two data-receiving devices at least a portion of the data should be sent according to the set of rules held in the storage together with identifiers held within the data and the predetermined classification that identifies the data output capability of the at least first and second data-receiving devices **(page 4, lines 25-28 and page 21, line 26 to page 22, line 9 of the specification)**, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data **(page 3, lines 13-14 of the specification)**, and further arranged to pass the data, that the processor determines should be transmitted, to the transmitter wherein the transmitter is arranged to connect to the first and second data-receiving devices **(page 4, lines 29-31 of the specification)**, wherein the connection is treated as a single session **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, giving the first and second data-receiving devices a single session ID **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, and transmit the data it has been passed to at least one of the data-receiving devices **(page 4, lines 29-31 of the specification)**, wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated **(page 3, lines 13-14 of the specification)**, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of

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data (**page 2, lines 7-10 and page 3, lines 21-23 of the specification**), wherein the processor

is arranged to select portions of the data for transmission according to the intended function

of that portion of data irrespective of the importance of the portion of data relative to other

portions of the same data (**page 23, lines 5-9 of the specification**).

The invention of claim 13 is directed to a device (**page 5, lines 10-12, 21 and 29-30**

of the specification, server 100 in FIG. 1) arranged to concurrently establish a data

connection between a computing device and at least a first and a second data-receiving device

(**page 2, lines 1-3 of the specification, see data-receiving devices 23-28 in FIG. 3, see first**

device 900 and second device 902 in FIG. 10) such that data is sent to one of the first and

the second data receiving devices depending upon a set of rules and an identifier within the

data and a set of predetermined classifications that identify the data output capability of the at

least first and second data-receiving devices (**page 2, lines 4-6 and page 7, line 29 to page 8,**

line 1 of the specification), wherein the first and the second data-receiving devices are

intended to be used in conjunction (**page 5, lines 12-13 of the specification**), the device

comprising: a receiver (**IP port 23 in FIG. 1**) arranged to receive data from the data

connection; a transmitter (**IP port 23 in FIG. 1**) arranged to send data over the data

connection, wherein the identifier provides an indication of the importance of a portion of

data relative to other portions of the same data (**page 3, lines 13-14 of the specification**) and

the set of predetermined classifications identify the data output capability of the at least first

and second data-receiving devices(**page 20, lines 16-22 of the specification, see classifier**

906 in FIG. 10); and a processor (**processing unit 112 in FIG. 1**) arranged to process data

and to control the receiver and the transmitter, the device being arranged such that the

receiver is arranged to connect to the first and second data-receiving devices (**page 5, lines**

16-19 of the specification), wherein the connection is treated as a single session **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, giving the first and second data-receiving devices a single session ID **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, and receive the identity of the first and the second data-receiving devices, wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated **(page 3, lines 6-7 and page 22, line 27 to page 23, line 2 of the specification)**, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data **(page 3, lines 7-11 and page 22, lines 5-9 of the specification)**, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data **(page 23, lines 5-9 of the specification)**.

The invention of claim 15 is directed to a network, comprising: at least one computing device; and at least two data receiving devices **(page 6, lines 5-7 and page 8, lines 8-10 of the specification, see server 100 in FIG. 1, data-receiving devices 23-28 in FIG. 3, see first device 900 and second device 902 in FIG. 10)**, the computing device being arranged to make data connections to the at least two data receiving devices used in conjunction with one another such that predetermined data is handled by one of the data receiving devices and other predetermined data is handled by another of the data receiving devices **(page 8, lines 10-14 of the specification)**, the computing device comprising: a processor **(processing unit 112 in FIG. 1)** arranged to process data; a transmitter **(IP port 23 in FIG. 1)** arranged to receive data from the processor and to transmit data from the computing device; a receiver **(IP port 23 in FIG. 1)** arranged to receive data to the computing device and to pass data to the

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processor; and memory **(hard drive 114, memory 118 in FIG. 1)** arranged to store data together with a set of rules determining how data should be processed **(page 8, lines 14-18 of the specification)** and a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices and to allow the processor to access the data, the set of predetermined classifications and rules **(page 4, lines 21-25 and page 20, lines 16-22 of the specification, see classifier 906 in FIG. 10)**, wherein the receiver is arranged to receive a request for data and pass the request to the processor **(page 8, lines 18-19 of the specification)**, the processor being arranged to access data stored in the memory **(page 8, lines 19-20 of the specification)**, determine to which of the at least two data receivers at least a portion of the data should be sent according to the rules held in the memory together with identifiers held within the data and the set of predetermined classifications that identify the data output capability of the at least one data-receiving devices requesting the data **(page 8, lines 20-25 of the specification)**, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data **(page 3, lines 13-14 of the specification)**, and further arranged to pass the data that the processor determines should be transmitted to the transmitter and wherein the transmitter is arranged to connect to at least one of the data receiving devices **(page 8, lines 23-27 of the specification)**, wherein the connection is treated as a single session **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, giving each of the data receiving devices a single session ID **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, and transmit the data it has been passed to at least one of the data receiving devices and the at least two data receiving devices being arranged to receive data from the computing device **(page 8, lines 24-27 of the specification)**, wherein the identifiers provide an

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indication as to the intended function of the portion of the data with which they are associated **(page 3, lines 6-7 and page 22, line 27 to page 23, line 2 of the specification)**, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data **(page 3, lines 7-11 and page 22, lines 5-9 of the specification)**, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data **(page 23, lines 5-9 of the specification)**.

The invention of claim 16 is directed to a computer storage medium having stored thereon computer program codes **(page 6, lines 24-27 of the specification)** which when executed by a processor cause the processor to perform the method steps of: providing data, at least one rule, and identifiers **(page 2, lines 4-6 and page 7, line 29 to page 8, line 1 of the specification)**, wherein the identifiers are associated with portions of the data and are arranged to identity those portions of the data **(page 7, lines 15-17 of the specification)**, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data **(page 3, lines 13-14 of the specification)**, wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated **(page 3, lines 6-7 and page 22, line 27 to page 23, line 2 of the specification)**, and the at least one rule specifies for the predetermined combination of first and second data-receiving devices **(page 2, lines 1-3 and 7-10 and page 3, lines 21-23 of the specification, see data-receiving devices 23-28 in FIG. 3, see first device 900 and second device 902 in FIG. 10)** to which device a portion of the data having a predetermined identifier should be sent, wherein the rules specify to which device a portion of data should be

sent according to the intended function of that portion of data **(page 3, lines 7-11 and page 22, lines 5-9 of the specification)**; and the method further comprising: classifying the at least first and second data-receiving devices into a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices **(page 20, lines 16-22 of the specification, see classifier 906 in FIG. 10)**; connecting to the first and second data-receiving devices, wherein the connection is treated as a single session **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**; giving the first and second data-receiving devices a single session ID **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**; receiving a request for the data from at least one of the data-receiving devices **(page 21, lines 9-10 of the specification)**; obtaining the predetermined classification that identifies the data output capability of the at least one data-receiving device requesting the data **(page 21, lines 14-18 of the specification)**; and selecting portions of the data for transmission to at least one of the data-receiving devices depending upon the at least one rule and the predetermined classification that identifies the data output capability of the at least one data-receiving devices requesting the data **(page 21, line 26 to page 22, line 9 of the specification)**, wherein the portions of the data selected for transmission are selected according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data **(page 23, lines 5-9 of the specification)**.

The invention of claim 17 is directed to a computer storage medium **(page 6, lines 29-31 of the specification)** having stored thereon computer program codes which when executed by a processor causes the processor to function as a computing means, comprising: a processor **(processing unit 112 in FIG. 1)** arranged to process data; a transmitter **(IP port 23**

in FIG. 1) arranged to receive data from the processor and to transmit data from the device; a

receiver **(IP port 23 in FIG. 1)** arranged to receive data to the device and to pass the data to

the processor; and storage **(hard drive 114, memory 118 in FIG. 1)** arranged to store data

together with a set of rules determining how data should be processed and a set of

predetermined classifications that identify the data output capability of the at least first and

second data-receiving devices and to allow the processor to access the data **(page 4, lines 21-**

25 of the specification), the set of predetermined classifications that identifies the data output

capability of the at least first and second data-receiving devices and the rules stored in the

storage **(page 20, lines 16-22 of the specification, see classifier 906 in FIG. 10)**, wherein

the receiver is arranged to receive a request for data and pass the request to the processor

(page 21, lines 9-10 of the specification), the processor being arranged to access data stored

in the storage, determine to which of the at least two data-receiving devices at least a portion

of the data should be sent according to the set of rules held in the storage together with

identifiers held within the data and the predetermined classification that identifies the data

output capability of the at least first and second data-receiving devices **(page 4, lines 25-28**

and page 21, line 26 to page 22, line 9 of the specification), wherein the identifiers provide

an indication of the importance of a portion of data relative to other portions of the same data

(page 3, lines 13-14 of the specification), and further arranged to pass the data, that the

processor determines should be transmitted, to the transmitter wherein the transmitter is

arranged to connect to the first and second data-receiving devices **(page 4, lines 29-31 of the**

specification), wherein the connection is treated as a single session **(page 21, lines 1-6 of the**

specification where devices log on to Servlet 904), giving the first and second data-

receiving devices a single session ID **(page 21, lines 1-6 of the specification where devices**

log on to Servlet 904), and transmit the data it has been passed to at least one of the data-receiving devices **(page 4, lines 29-31 of the specification)**, wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated **(page 3, lines 13-14 of the specification)**, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data **(page 2, lines 7-10 and page 3, lines 21-23 of the specification)**, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data **(page 23, lines 5-9 of the specification)**.

The invention of claim 19 is directed to a computer storage medium **(page 7, lines 7-10 of the specification)** having stored thereon computer program codes which when read onto a computer on a network cause that network to function as a network comprising: a processor **(processing unit 112 in FIG. 1)** arranged to process data; a transmitter **(IP port 23 in FIG. 1)** arranged to receive data from the processor and to transmit data from the computing device; a receiver **(IP port 23 in FIG. 1)** arranged to receive data to the computing device and to pass data to the processor; and memory **(hard drive 114, memory 118 in FIG. 1)** arranged to store data together with a set of rules determining how data should be processed **(page 8, lines 14-18 of the specification)** and a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices and to allow the processor to access the data, the set of predetermined classifications and rules **(page 4, lines 21-25 and page 20, lines 16-22 of the specification, see classifier 906 in FIG. 10)**, wherein the receiver is arranged to receive a request for data and pass the request to the processor **(page 8, lines 18-19 of the specification)**, the processor

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being arranged to access data stored in the memory **(page 8, lines 19-20 of the specification),** determine to which of the at least two data receivers at least a portion of the data should be sent according to the rules held in the memory together with identifiers held within the data and the set of predetermined classifications that identify the data output capability of the at least one data-receiving devices requesting the data **(page 8, lines 20-25 of the specification),** wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data **(page 3, lines 13-14 of the specification),** and further arranged to pass the data that the processor determines should be transmitted to the transmitter and wherein the transmitter is arranged to connect to at least one of the data receiving devices **(page 8, lines 23-27 of the specification),** wherein the connection is treated as a single session **(page 21, lines 1-6 of the specification where devices log on to Servlet 904),** giving each of the data receiving devices a single session ID **(page 21, lines 1-6 of the specification where devices log on to Servlet 904),** and transmit the data it has been passed to at least one of the data receiving devices and the at least two data receiving devices being arranged to receive data from the computing device **(page 8, lines 24-27 of the specification),** wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated **(page 3, lines 6-7 and page 22, line 27 to page 23, line 2 of the specification),** wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data **(page 3, lines 7-11 and page 22, lines 5-9 of the specification),** wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data **(page 23, lines 5-9 of the specification).**

The invention of claim 24 is directed to a network **(page 8, lines 8-10 of the specification)**, comprising: at least one computing device; and at least two data receiving devices **(page 6, lines 5-7 and page 8, lines 8-10 of the specification, see server 100 in FIG. 1, data-receiving devices 23-28 in FIG. 3, see first device 900 and second device 902 in FIG. 10)**, the computing device being arranged to make data connections to the at least two data receiving devices used in conjunction with one another such that predetermined data is handled by one of the data handling devices and other predetermined data is handled by another of the data handling devices **(page 8, lines 10-14 of the specification)**, the computing device comprising: a processor **(processing unit 112 in FIG. 1)**; a transmitter **(IP port 23 in FIG. 1)**; a receiver **(IP port 23 in FIG. 1)**; and a memory **(hard drive 114, memory 118 in FIG. 1)** arranged to store data including identifiers identifying predetermined data to be sent to one of the data receiving devices together with a set of rules determining how data should be processed **(page 8, lines 14-18 of the specification)** and a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices **(page 4, lines 21-25 and page 20, lines 16-22 of the specification, see classifier 906 in FIG. 10)**, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data **(page 3, lines 13-14 of the specification)**, wherein the receiver is arranged to receive a request for data and pass the request to the processor **(page 8, lines 18-19 of the specification)**, the processor being arranged to access data stored in the memory **(page 8, lines 19-20 of the specification)**, determine to which of the at least two data receiving devices at least a portion of the data should be sent according to the rules held in the memory together with the identifiers held within the data and the set of predetermined classifications that identify the data output

capability of the at least first and second data-receiving device requesting the data **(page 8, lines 20-25 of the specification)** and further arranged to pass the data that the processor determines should be transmitted to the transmitter and wherein the transmitter is arranged to connect to at least one of the data receiving devices **(page 8, lines 23-27 of the specification)**, wherein the connection is treated as a single session **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, giving each of the data receiving devices a single session ID **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, and transmit the data it has been passed to at least one of the data receiving devices at any one time and the at least one data-receiving devices being arranged to receive data from the computing device **(page 8, lines 24-27 of the specification)**, wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated **(page 3, lines 6-7 and page 22, line 27 to page 23, line 2 of the specification)**, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data **(page 3, lines 7-11 and page 22, lines 5-9 of the specification)**, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data **(page 23, lines 5-9 of the specification)**.

The invention of claim 25 is directed to a device arranged to concurrently establish a data connection with at least a first and a second data-receiving device **(page 8, lines 29-31 of the specification, see data-receiving devices 23-28 in FIG. 3, see first device 900 and second device 902 in FIG. 10)** such that data is sent to one of the first and the second data receiving devices depending upon an identifier within the data and a set of predetermined

classifications that identify the data output capability of the at least first and second data-receiving devices **(page 2, lines 4-6 and page 7, line 29 to page 8, line 1 of the specification)**, wherein the data-receiving devices are intended to be used in conjunction with one another **(page 5, lines 12-13 of the specification)**, the device comprising: a receiver **(IP port 23 in FIG. 1)** arranged to receive data from the data connection; a transmitter **(IP port 23 in FIG. 1)** arranged to send data over the data connection wherein the identifier provides an indication of the importance of a portion of data relative to other portions of the same data **(page 3, lines 13-14 of the specification)** and the set of predetermined classifications identify the data output capability of the at least first and second data-receiving devices **(page 20, lines 16-22 of the specification, see classifier 906 in FIG. 10)**; and a processor **(processing unit 112 in FIG. 10)** arranged to process data and to control the receiver and the transmitter, the device being arranged such that when it establishes the data connection the processor is arranged to receive from the receiver the identity of the first and the second data-receiving devices and the predetermined classification that identifies the data output capability of the first and second data-receiving devices **(page 9, lines 7-9 of the specification)**, the device being further arranged to receive data at least a portion of which is intended for the first data-receiving device and at least a portion of which is intended for the second data-receiving device **(page 9, lines 9-11 of the specification)** and the processor being further arranged to control the transmitter to connect to the first and second data receiving devices **(page 9, lines 11-15 of the specification)**, wherein the connection is treated as a single session **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, giving each of the data receiving devices a single session ID **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, and transmit each of the portions of the data to the data-receiving

device for which they are intended based upon the identifier in the data and the predetermined classification that identifies the data output capability of the data-receiving device such that at least some of the data is received by the first data receiving device and at least some of the data is received by the second data receiving device **(page 9, lines 11-23 of the specification)**, wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated **(page 3, lines 6-7 and page 22, line 27 to page 23, line 2 of the specification)**, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data **(page 3, lines 7-11 and page 22, lines 5-9 of the specification)**, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data **(page 23, lines 5-9 of the specification)**.

The invention of claim 27 is directed to a device arranged to concurrently establish a data connection between a computing device and at least a first and a second data-receiving device **(page 9, lines 18-21 of the specification, see data-receiving devices 23-28 in FIG. 3, see first device 900 and second device 902 in FIG. 10)** such that data is sent to one of the first and the second data receiving devices depending upon an identifier within the data and a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices **(page 2, lines 4-6 and page 7, line 29 to page 8, line 1 of the specification)** wherein the first and the second data-receiving devices are intended to be used in conjunction **(page 5, lines 12-13 of the specification)**, the device comprising: a receiver **(IP port 23 in FIG. 1)** arranged to receive data from the data connection; a transmitter **(IP port 23 in FIG. 1)** arranged to connect to at least one of the data-handling

devices, wherein the connection is treated as a single session **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, giving each of the data-handling devices a single session ID **(page 21, lines 1-6 of the specification where devices log on to Servlet 904)**, and send portions of data over the data connection to at least a first and second data-receiving device based upon then identifier within the data and the set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices **(page 2, lines 4-6 and page 7, line 29 to page 8, line 1 of the specification)** wherein the identifier provides an indication of the importance of a portion of data relative to other portions of the same data **(page 3, lines 13-14 of the specification)**; and a processor **(processing unit 112 in FIG.1)** arranged to process data and to control the receiver and the transmitter **(page 5, lines 16-19 of the specification)**, wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated **(page 3, lines 6-7 and page 22, line 27 to page 23, line 2 of the specification)**, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data **(page 3, lines 7-11 and page 22, lines 5-9 of the specification)**, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data **(page 23, lines 5-9 of the specification)**.

6. **GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

The sole ground of rejection to be reviewed on appeal is:

The rejection of claims 1, 2, 7-17, 19 and 24-27 under 35 U.S.C. § 103(a) as being unpatentable over Han et al. in view of Applicant Admitted Prior Art (AAPA).

7. ARGUMENT

The rejection of claims 1, 2, 7-17, 19 and 24-27 under 35 U.S.C. § 103(a) as being unpatentable over Han et al. in view of Applicant Admitted Prior Art (AAPA).[1]

Claim 1 recites "wherein the portions of the data selected for transmission are selected according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data." Han and AAPA fail to disclose at least this feature of claim 1 in the context of that claim.

The Examiner on page 5 of the Final Action recognizes that Han does not disclose identifiers that provide an indication of the importance of a portion of the data relative to other portions of the same data, but relies on AAPA for disclosing this feature. AAPA, however, does not cure the deficiencies of Han with respect to claim 1 to include the above quoted feature.

Even if Han were modified to include identifiers that provide an indication of the importance of a portion of the data relative to other portions of the same data, the modified Han system would not suggest the feature of claim 1 where portions of the data selected for transmission to a data-receiving device are selected according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data. Thus, even if Han and the AAPA were combined, the combination would not have all of the features of claim 1, as amended.

The Examiner states on page 2 of the Final Action:

> In summary, applicant argues that the prior art does not teach selecting portion(s) of data for transmission to a device based on an intended function of the portion(s) of data that is irrespective of the importance of the portion(s). The examiner respectfully disagrees. The arguments centralize on rule for selective transmission of a data portion based on a function of the data portion, not based on the importance of the data. Han teaches precisely that (fig. 7, rules for selecting data portions to be transmitted to devices

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[1] Claims 1-2, 7-17, 19 and 24-27 were also objected to for informalities. The objection to the claims for informalities is not subject to this appeal, and will be addressed upon a decision from the Board of Patent Appeals.

according to the functions of the data portions, e.g., navigation, notes, audio . . ., so that navigational data will be sent to a PDA irrespective of importance)

To the extent that the Examiner is arguing that Han teaches the feature of claim 1 where portions of the data selected for transmission to a data-receiving device are selected according to the intended function of that portion of data <u>irrespective of the importance of the portion of data relative to other portions of the same data</u>, appellant respectfully disagrees. As recognized by the Examiner, Han does not disclose identifiers that provide an indication of the importance of a portion of the data relative to other portions of the same data. Thus, Han <u>can not</u> teach or disclose how to handle the selection of data for transmission in the case where there are identifiers that provide an indication of the importance of a portion of the data relative to other portions of the same data. That is, Han is clearly silent on how to handle the selection of data for transmission in the case of identifiers indicating the relative importance of data. Even if Han discloses selecting data for transmission based on the intended function, Han gives no clue on how to proceed in data selection for transmission in the case of identifiers indicating the relative importance of data.

Independent claims 10, 13, 15-17, 19, 24, 25 and 27 contain similar features to those discussed above with respect to claim 1, and are patentable for analogous reasons.

Claims 2, 7-9, 11, 12, 14 and 26 depend from one of independent claims 1, 10, 13 and 25 and should be allowed for the reasons set forth above without regard to further patentable limitations contained therein.

For the foregoing reasons, it is submitted that the PTO's rejections are erroneous, and reversal of the applied rejections is respectfully requested.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 C.F.R. § 1.25. Additionally, charge any fees to Deposit Account 08-2025 under 37 C.F.R. § 1.16 through § 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

Respectfully submitted,

Date _November 12, 2009_   By _____

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8. <u>CLAIMS APPENDIX</u>

1. (Previously Presented) A method of generating data suitable for transmission to at least one of a predetermined combination of at least a first and a second data-receiving device, the method comprising:

providing data, at least one rule, and identifiers, wherein the identifiers are associated with portions of the data and are arranged to identity those portions of the data, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data, wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated, and the at least one rule specifies for the predetermined combination of first and second data-receiving devices to which device a portion of the data having a predetermined identifier should be sent, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data; and

the method further comprising:

classifying the at least first and second data-receiving devices into a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices;

connecting to the first and second data-receiving devices, wherein the connection is treated as a single session;

giving the first and second data-receiving devices a single session ID;

receiving a request for the data from at least one of the data-receiving devices;

obtaining the predetermined classification that identifies the data output capability of the at least one data-receiving device requesting the data; and

selecting portions of the data for transmission to at least one of the data-receiving devices depending upon the at least one rule and the predetermined classification that identifies the data output capability of the at least one data-receiving devices requesting the data, wherein the portions of the data selected for transmission are selected according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data.

2.   (Original) A method according to claim 1 in which the identifiers are placed within the data prior to the generation of the data suitable for transmission.

3. – 6. (Cancelled).

7.   (Original) A method according to claim 1 which comprises generating a set of rules which are used as a default in order to determine to which data-receiving device the data should be sent.

8.   (Original) A method according to claim 1 in which a user may alter the rules.

9.   (Original) A method according to claim 1 in which the method comprises writing the data in a data-receiving device independent language.

10.   (Previously Presented) A computing device arranged to hold data intended for transmission to at least one of a predetermined combination of at least a first and a second data-receiving devices, the computing device comprising:

a processor arranged to process data;

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a transmitter arranged to receive data from the processor and to transmit data from the device;

a receiver arranged to receive data to the device and to pass the data to the processor; and

storage arranged to store data together with a set of rules determining how data should be processed and a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices and to allow the processor to access the data, the set of predetermined classifications that identifies the data output capability of the at least first and second data-receiving devices and the rules stored in the storage, wherein the receiver is arranged to receive a request for data and pass the request to the processor, the processor being arranged to access data stored in the storage, determine to which of the at least two data-receiving devices at least a portion of the data should be sent according to the set of rules held in the storage together with identifiers held within the data and the predetermined classification that identifies the data output capability of the at least first and second data-receiving devices, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data, and further arranged to pass the data, that the processor determines should be transmitted, to the transmitter wherein the transmitter is arranged to connect to the first and second data-receiving devices, wherein the connection is treated as a single session, giving the first and second data-receiving devices a single session ID, and transmit the data it has been passed to at least one of the data-receiving devices,

wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated, wherein the rules specify to which device a portion

of data should be sent according to the intended function of that portion of data, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data.

11.   (Original) A computing device according to claim 10 which is connected to a network and in which the data receiver and data transmitter are arranged to connect the computing device to the network.

12.   (Original) A computing device according to claim 10 in which the device is one of a server and a router.

13.   (Previously Presented) A device arranged to concurrently establish a data connection between a computing device and at least a first and a second data-receiving device such that data is sent to one of the first and the second data receiving devices depending upon a set of rules and an identifier within the data and a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices, wherein the first and the second data-receiving devices are intended to be used in conjunction, the device comprising:

a receiver arranged to receive data from the data connection;

a transmitter arranged to send data over the data connection, wherein the identifier provides an indication of the importance of a portion of data relative to other portions of the same data and the set of predetermined classifications identify the data output capability of the at least first and second data-receiving devices; and

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a processor arranged to process data and to control the receiver and the transmitter, the device being arranged such that the receiver is arranged to connect to the first and second data-receiving devices, wherein the connection is treated as a single session, giving the first and second data-receiving devices a single session ID, and receive the identity of the first and the second data-receiving devices,

wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data.

14.   (Original) A device according to claim 13 which is arranged to send an amount of data such that at least some of the data is sent to the first data receiving device and at least some of the data is sent to the second data receiving device.

15.   (Previously Presented) A network, comprising:

at least one computing device; and

at least two data receiving devices, the computing device being arranged to make data connections to the at least two data receiving devices used in conjunction with one another such that predetermined data is handled by one of the data receiving devices and other predetermined data is handled by another of the data receiving devices, the computing device comprising:

a processor arranged to process data;

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a transmitter arranged to receive data from the processor and to transmit data from the computing device;

a receiver arranged to receive data to the computing device and to pass data to the processor; and

memory arranged to store data together with a set of rules determining how data should be processed and a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices and to allow the processor to access the data, the set of predetermined classifications and rules, wherein the receiver is arranged to receive a request for data and pass the request to the processor, the processor being arranged to access data stored in the memory, determine to which of the at least two data receivers at least a portion of the data should be sent according to the rules held in the memory together with identifiers held within the data and the set of predetermined classifications that identify the data output capability of the at least one data-receiving devices requesting the data, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data, and further arranged to pass the data that the processor determines should be transmitted to the transmitter and wherein the transmitter is arranged to connect to at least one of the data receiving devices, wherein the connection is treated as a single session, giving each of the data receiving devices a single session ID, and transmit the data it has been passed to at least one of the data receiving devices and the at least two data receiving devices being arranged to receive data from the computing device,

wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated, wherein the rules specify to which device a portion

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of data should be sent according to the intended function of that portion of data, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data.

16.   (Previously Presented) A computer storage medium having stored thereon computer program codes which when executed by a processor cause the processor to perform the method steps of:

providing data, at least one rule, and identifiers, wherein the identifiers are associated with portions of the data and are arranged to identity those portions of the data, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data, wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated, and the at least one rule specifies for the predetermined combination of first and second data-receiving devices to which device a portion of the data having a predetermined identifier should be sent, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data; and

the method further comprising:

classifying the at least first and second data-receiving devices into a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices;

connecting to the first and second data-receiving devices, wherein the connection is treated as a single session;

giving the first and second data-receiving devices a single session ID;

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receiving a request for the data from at least one of the data-receiving devices;

obtaining the predetermined classification that identifies the data output capability of

the at least one data-receiving device requesting the data; and

selecting portions of the data for transmission to at least one of the data-receiving

devices depending upon the at least one rule and the predetermined classification that

identifies the data output capability of the at least one data-receiving devices requesting the

data, wherein the portions of the data selected for transmission are selected according to the

intended function of that portion of data irrespective of the importance of the portion of data

relative to other portions of the same data.

17.   (Previously Presented) A computer storage medium having stored thereon

computer program codes which when executed by a processor causes the processor to

function as a computing means, comprising:

a processor arranged to process data;

a transmitter arranged to receive data from the processor and to transmit data from the

device;

a receiver arranged to receive data to the device and to pass the data to the processor;

and

storage arranged to store data together with a set of rules determining how data should

be processed and a set of predetermined classifications that identify the data output capability

of the at least first and second data-receiving devices and to allow the processor to access the

data, the set of predetermined classifications that identifies the data output capability of the at

least first and second data-receiving devices and the rules stored in the storage, wherein the

receiver is arranged to receive a request for data and pass the request to the processor, the

processor being arranged to access data stored in the storage, determine to which of the at least two data-receiving devices at least a portion of the data should be sent according to the set of rules held in the storage together with identifiers held within the data and the predetermined classification that identifies the data output capability of the at least first and second data-receiving devices, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data, and further arranged to pass the data, that the processor determines should be transmitted, to the transmitter wherein the transmitter is arranged to connect to the first and second data-receiving devices, wherein the connection is treated as a single session, giving the first and second data-receiving devices a single session ID, and transmit the data it has been passed to at least one of the data-receiving devices,

wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data.

18.   (Cancelled)

19.   (Previously Presented) A computer storage medium having stored thereon computer program codes which when read onto a computer on a network cause that network to function as a network comprising:

a processor arranged to process data;

a transmitter arranged to receive data from the processor and to transmit data from the computing device;

a receiver arranged to receive data to the computing device and to pass data to the processor; and

memory arranged to store data together with a set of rules determining how data should be processed and a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices and to allow the processor to access the data, the set of predetermined classifications and rules, wherein the receiver is arranged to receive a request for data and pass the request to the processor, the processor being arranged to access data stored in the memory, determine to which of the at least two data receivers at least a portion of the data should be sent according to the rules held in the memory together with identifiers held within the data and the set of predetermined classifications that identify the data output capability of the at least one data-receiving devices requesting the data, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data, and further arranged to pass the data that the processor determines should be transmitted to the transmitter and wherein the transmitter is arranged to connect to at least one of the data receiving devices, wherein the connection is treated as a single session, giving each of the data receiving devices a single session ID, and transmit the data it has been passed to at least one of the data receiving devices and the at least two data receiving devices being arranged to receive data from the computing device,

wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated, wherein the rules specify to which device a portion

of data should be sent according to the intended function of that portion of data, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data.

20 - 23.   (Cancelled)

24.   (Previously Presented) A network, comprising:

at least one computing device; and

at least two data receiving devices, the computing device being arranged to make data connections to the at least two data receiving devices used in conjunction with one another such that predetermined data is handled by one of the data handling devices and other predetermined data is handled by another of the data handling devices, the computing device comprising:

a processor;

a transmitter;

a receiver; and

a memory arranged to store data including identifiers identifying predetermined data to be sent to one of the data receiving devices together with a set of rules determining how data should be processed and a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices, wherein the identifiers provide an indication of the importance of a portion of data relative to other portions of the same data, wherein the receiver is arranged to receive a request for data and pass the request to the processor, the processor being arranged to access data stored in the

memory, determine to which of the at least two data receiving devices at least a portion of the data should be sent according to the rules held in the memory together with the identifiers held within the data and the set of predetermined classifications that identify the data output capability of the at least first and second data-receiving device requesting the data and further arranged to pass the data that the processor determines should be transmitted to the transmitter and wherein the transmitter is arranged to connect to at least one of the data receiving devices, wherein the connection is treated as a single session, giving each of the data receiving devices a single session ID, and transmit the data it has been passed to at least one of the data receiving devices at any one time and the at least one data-receiving devices being arranged to receive data from the computing device,

wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data.

25.   (Previously Presented) A device arranged to concurrently establish a data connection with at least a first and a second data-receiving device such that data is sent to one of the first and the second data receiving devices depending upon an identifier within the data and a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices, wherein the data-receiving devices are intended to be used in conjunction with one another, the device comprising:

a receiver arranged to receive data from the data connection;

a transmitter arranged to send data over the data connection wherein the identifier provides an indication of the importance of a portion of data relative to other portions of the same data and the set of predetermined classifications identify the data output capability of the at least first and second data-receiving devices; and

a processor arranged to process data and to control the receiver and the transmitter, the device being arranged such that when it establishes the data connection the processor is arranged to receive from the receiver the identity of the first and the second data-receiving devices and the predetermined classification that identifies the data output capability of the first and second data-receiving devices, the device being further arranged to receive data at least a portion of which is intended for the first data-receiving device and at least a portion of which is intended for the second data-receiving device and the processor being further arranged to control the transmitter to connect to the first and second data receiving devices, wherein the connection is treated as a single session, giving each of the data receiving devices a single session ID, and transmit each of the portions of the data to the data-receiving device for which they are intended based upon the identifier in the data and the predetermined classification that identifies the data output capability of the data-receiving device such that at least some of the data is received by the first data receiving device and at least some of the data is received by the second data receiving device,

wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated, wherein the rules specify to which device a portion of data should be sent according to the intended function of that portion of data, wherein the processor is arranged to select portions of the data for transmission according to the intended

function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data.

26.   (Original) A device according to claim 25 which is provided within a network and arranged to receive the data from the network.

27.   (Previously Presented) A device arranged to concurrently establish a data connection between a computing device and at least a first and a second data-receiving device such that data is sent to one of the first and the second data receiving devices depending upon an identifier within the data and a set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices wherein the first and the second data-receiving devices are intended to be used in conjunction, the device comprising:

a receiver arranged to receive data from the data connection;

a transmitter arranged to connect to at least one of the data-handling devices, wherein the connection is treated as a single session, giving each of the data-handling devices a single session ID, and send portions of data over the data connection to at least a first and second data-receiving device based upon then identifier within the data and the set of predetermined classifications that identify the data output capability of the at least first and second data-receiving devices wherein the identifier provides an indication of the importance of a portion of data relative to other portions of the same data; and

a processor arranged to process data and to control the receiver and the transmitter, wherein the identifiers provide an indication as to the intended function of the portion of the data with which they are associated, wherein the rules specify to which device a portion of

data should be sent according to the intended function of that portion of data, wherein the processor is arranged to select portions of the data for transmission according to the intended function of that portion of data irrespective of the importance of the portion of data relative to other portions of the same data.

9. EVIDENCE APPENDIX

None.

10. **RELATED PROCEEDINGS APPENDIX**

None.